

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN MAXWELL MONTIN,)

Plaintiff,)

vs.)

RYAN R. WILCOX,)

Defendant.)

4:07cv3064

MEMORANDUM AND ORDER

This matter is before the court on Filing No. 7, the postjudgment Motion to Consolidate Cases, filed by the pro se plaintiff, John Maxwell Montin. The plaintiff seeks to consolidate this case with Case No. 4:07cv3067, which he filed against the same defendant. However, this case is closed, as judgment has been entered. The plaintiff brought an action under 42 U.S.C. § 1983 (claim for violation of civil rights by person acting under color of state law) against an individual who did not act under color of state law. Therefore, this case cannot be consolidated with any other case, and Filing No. 7, the Motion to Consolidate Cases, is denied.

Dated this 19th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge